




**TITLE:** Settlement of Various Disputed PCO's under \$50k  
**DATE:** 9/7/2017  
**PROJECT:** Construction Package No. 1  
**CONTRACT NO:** HSR 13-06  
**CONTRACTOR:** Attn: Ghassan Ariqat  
 Tutor Perini/Zachry/Parsons, a Joint Venture  
 1401 Fulton Street  
 Suite 400  
 Fresno, CA 93721

**DESCRIPTION OF CHANGE:**

This Change Order compensates the Contractor for all design services associated with the disputed following PCO's:

PCO #	Description	Negotiated Price
361	DL-00114 Revised HV Manhole and Gantry Configuration- Design Only	\$6,350
397	Veterans Blvd Interchange- South Jug Handle Access Road - Design Only	\$13,564
110	Termination of Santa Fe Road at Ave 15-Design Only	\$0
360	DL-00115 CP1/CP2-3 Interface - Design only	\$13,193
256.37	AT&T Duct Bank at Palm Avenue due to COF Future RTM	\$0
417	BNSF 102' offset Submittal Directive	\$0
256.36	AT&T Duct Bank at Dennett Ave for COF Future Recycle Main	\$17,961
307	DL-00091 Top of Rail Survey	\$0
351	DL-00108 Design and Install OCS Support Assemblies in Roof Top of Fresno Trench	\$17,726
357	Sidewalk Addition to E Central Ave- Design Only	\$94,346
148	McKinley Sidewalk Modifications Under SR99- Design Only	\$23,529
225	Add Cul-De-Sac at S Cherry Ave- Design Only	\$0
296	Florence-Sarah Connection - Design only	\$0
41	DL-00014 Align Golden State Blvd with N Veterans Connector (COF)	\$34,249
226	Add Cul-De-Sac at E Belgravia Ave- Design Only	\$0
15	Design Refinement (olive Ave & DMV) - Design Only	\$0
39	Design Refinement (Mission & Cornelia	\$66,000
154	W McKinley - N Weber Ave Substandard Curves- Design Only	\$46,494
300	Add Cul-De-Sac Along S Railroad Ave at S Orange Ave- Design Only	\$0
123	Ventura St Change in Design Speed 25-30mph - Design Only	\$50,477

 Total: **\$383,889.00**

Contractor	California High Speed Rail Authority		
Accepted by	Submitted by	Recommended by	Approved by
			

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**AGREED TERMS:**

1. PCO 110 (Santa Fe Road cul-de-sac): The Authority will not be entitled to a credit as a result of the reduced bridge length by closing Santa Fe Road to the south of Avenue 15.
2. TPZP maintains that PCO's 225 and 296 for cul-de-sac at Cherry and Florence/Sarah connection have merit. These PCO's are closed as a result of this settlement.
3. Kern/Mono Improvements are not part of this resolution and TPZP is not waiving any rights to pursue this PCO or agreeing to any precedence of merit by conceding to the PCOs in item 2 above.

**PAYMENT ADJUSTMENT AT AGREED LUMP SUM :**

For this work, the Contractor shall be paid the agreed lump sum of **\$383,889.00**. This lump sum constitutes full and complete compensation for providing all design services including all markups by reason of this change.




Payment Adjustment at Agreed Lump Sum = \$383,889.00.

**TIME ADJUSTMENT:**

There shall be no time adjustment by reason of this Change Order since the work involved does not affect the controlling operation(s).

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
See List Above	00001	Settlement of Various Disputed PCO's under \$50k	1.0	LS	\$383,889.00	\$383,889.00	0

**Total: \$383,889.00**

Contractor	California High Speed Rail Authority		
Acceptance by	Submitted by	Recommended by	Approved by
			

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**Release of Claims**

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

**Contractor's Sworn Certification**

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

**Subcontractor's Sworn Certification(s):**

Attached as \_\_\_\_\_ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

**Tutor Perini/Zachry/Parsons, a Joint Venture**

Acceptance by Signature 	Ghassan Ariqat -Project Manager/Director	Date 9/19/17
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**California High-Speed Rail Authority**

Submitted by Signature 	<b>DAVID VALLESOS</b> John C. Lee - D-B Oversight Manager	Date 9/20/17
Approval by Signature 	Steven Milton -Design & Construction Manager	Date 9/21/17